

Notice of Allowability

Application No.

10/611,703

Examiner

Abolfazl Tabatabai

Applicant(s)

TURNER ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed on June 30, 2003.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

2. Authorization for this Examiner's amendment was given in a telephone interview with Applicant's Attorney (Mr. Brett Halperin, with Reg. No. 46,478), on Tuesday October 24, 2006, without traverse.

4. **In claim 26**, line1, delete " computer-program product residing on a computer-readable medium " insert --- **computer readable medium encoded with a computer program product** ---.

5. **In claim 27**, line1, delete " computer-program product residing on a computer-readable medium " insert --- **computer readable medium encoded with a computer program product** ---.

6. **In claim 28**, line1, delete " computer-program product residing on a computer-readable medium " insert --- **computer readable medium encoded with a computer program product** ---.

7. **In claim 29**, line1, delete " computer-program product residing on a computer-readable medium " insert --- **computer readable medium encoded with a computer program product** ---.

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8. In claim 30, line1, delete " computer-program product residing on a computer-readable medium " insert --- **computer readable medium encoded with a computer program product** ---.
9. In specification page 1, line 18 after Ser. No. insert --- **10/611,702** ---.
10. In specification page 1, line 19 after Ser. No. insert --- **10/611,757** ---.
11. In specification page 1, line 20 after filed insert --- **06/30/2003** ---.

Allowable Subject Matter

12. The following is an Examiner's statement of reasons for allowance.

The prior art of record fails to teach or suggest, system and method for augmented thermal imagery comprises (a) generating a color array including units of data, each unit having red, green, and blue values, wherein generating the color array is based on the received arrays of the pan band data and the thermal band data in combination into other features and elements of **claims 1, 12, 31 and 32**; (b) changing the resolution of the temperature formatted thermal band data to match the resolution of the received pan band data, generating a color array based on the received array of the pan band data and the array of the changed thermal band data, the color array including units, each unit having red, green, and blue values; and generating an image based on the generated color array in combination into other features and elements of **claim 22**.

13. **Claims 1-32 are allowed.**

14. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance.”

Other Prior Art

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brame (U S 4,864,127) discloses earth surface hydrocarbon gas cloud detection by use of LANDSAT data.

Colvocoresses (U S 4,313,678) discloses automated satellite mapping system(MAPSAT).

Specht et al (U S 6,937,774 B1) discloses apparatus and method for efficiently increasing the spatial resolution of images.

Contact Information

16. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (571) 272-7458.

The Examiner can normally be reached on Monday through Friday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Jingge Wu, can be reached at (571) 272-7429. The fax phone number for organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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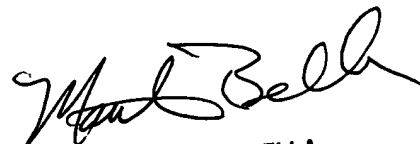
applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abolfazl Tabatabai

Patent Examiner

Technology Division 2624

October 24 2006


MATTHEW C. BELLA
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